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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/392,028	09/08/1999	William D. Smith II	RD-27419	9474

7590

12/18/2002

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EXAMINER

FELTEN, DANIEL S

ART UNIT

PAPER NUMBER

3624

DATE MAILED: 12/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/392,028

Applicant(s)
Smith et al

Examiner
Daniel Felten

Art Unit
3624



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Nov 13, 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Nov 13, 2002 is/are a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

DETAILED ACTION

1
2 1. Receipt of the Amendment After Final filed November 13, 2002 amending claims 1 and
3 12 and adding claims 23 and 24 is acknowledged. Claims 1-24 are pending in the application
4 following the Request for Continued Examination ("RCE") and are presented to be examined
5 upon their merits.

Drawings

6
7 2. The corrected or substitute drawings were received on November 13, 2002. These
8 drawings are approved.
9

Claim Rejections - 35 USC § 103

10
11 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
12 obviousness rejections set forth in this Office action:

13 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
14 section 102 of this title, if the differences between the subject matter sought to be patented and the prior art
15 are such that the subject matter as a whole would have been obvious at the time the invention was made to a
16 person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
17 negated by the manner in which the invention was made.

18 4. Method claims 1-4 & 23 and apparatus claims 12-15 & 24 are rejected under 35
19 U.S.C. 103(a) as being unpatentable over Highbloom (US 5,23,315) in view of Hogan (US
20 2001/0013545 A1) and Johnston et al (Hereinafter, "Johnston", GB 2 135 484).

1
2 **Regarding method claim 1, 12, 23 and 24:**

3 Highbloom discloses a method for processing financial information process management
4 and workflow system (see fig. 1) coupled to a data repository [18, 20] (*main and long term*
5 *memory*), upon receipt of the financial information by the process management and workflow
6 system, the method comprising the step of operating the process management and workflow
7 system to record the financial information (see col. 6, ll. 1-33), evaluate current collateral
8 information 10 (*via monitoring system*) (see col. 3, ll. 56-61), and evaluate current credit status
9 (see col. 4, line 52 to col. 5, ll. 11).

10 Highbloom fails to disclose a method of processing and/or receiving a cash advance
11 *request* in his invention. Hogan discloses a method which includes processing a cash advance
12 request against the credit loan balance (see Hogan page 2, paragraph [0018]; page 5, claim 20;
13 and page 6, claim 37). Johnston discloses wherein a client is given access to His her credit line
14 via cash advances (see Johnston, page 1, lines 37-43). It would have been obvious for an artisan
15 at the time of the invention of Hogan and Johnston to process, receive and record a credit line
16 request because an artisan at the time of the invention of Hogan and Johnston would have
17 recognized that the client would require access to his/her line of credit and thereby necessitate the
18 need to request access to the credit line and execute the request. Thus to employ the teachings of
19 Hogan and Johnston to the system of Highbloom would have been an obvious expedient well
20 within the ordinary skill in the art..

1
2 **Regarding claims 2 and 13:**

3 Highbloom in view of Hogan and Johnston disclose the step of operating the process
4 management and workflow system to evaluate whether the collateral information is up-to-date
5 (see Highbloom, Abstract, col. 4, lines 52-64).
6
7
8

9 **Regarding claim 3 and claim 14:**

10 Highbloom in view of Hogan and Johnston disclose the collateral information is not up-to-date,
11 said method further comprises the step of operating the process management and workflow
12 system to update the collateral information (see Highbloom, Abstract, col. 4, lines 52-64).
13

14 **Regarding claim 4 and claim 15:**

15 Highbloom in view of Hogan and Johnston disclose evaluating current credit status comprises
16 the steps reviewing whether money is actually available in a credit line, and whether a borrowing
17 client's business is performing according to expectations (see Highbloom, Abstract, col. 4, lines
18 65 to col. 5, ll. 11).
19

1 5. Method claims 5-11 and apparatus claims 16-22 are rejected under 35 U.S.C. 103(a) as
2 being unpatentable over Highbloom (US 5,23,315) as modified by Hogan (US 2001/0013545
3 A1) and Johnston as applied to claim 1 as applied to claim above, and further in view of
4 DeFrancesco et al (US 5,878,403). The teachings of Highbloom and Hogan have been discussed
5 above.

6
7 **Regarding claim 5 and claim 16:**

8 Highbloom as modified by Hogan and Johnston fails to disclose identifying dilution, reviewing
9 advance rate, and reviewing fraud possibilities.

10 DeFrancesco discloses a method wherein evaluating current credit status further
11 comprises the steps identifying dilution, reviewing advance rate, and reviewing fraud
12 possibilities (see DeFrancesco, col. 5, ll. 44-47; col. 7, ll. 32-39; col. 16, ll. 62 to col 17, ll. 11).

13 It would have been obvious for an artisan at the time the invention was made to employ
14 the teachings of DeFrancesco with the aforementioned features, to the teaching of Highbloom as
15 modified by Hogan because an artisan at the time of the invention would be concerned about the
16 accuracy and security of the financial transaction information being bi-directionally
17 communicated between customer and financial data sources. Thus to employ such features with
18 Highbloom as modified by Hogan would be considered an obvious extension to the teachings
19 Highbloom inasmuch as it would provide an alternative means to secure that the information

1 received and transmitted is correct. Thus such a modification would be an obvious expedient to
2 one of ordinary skill in the art.

3
4 **Regarding claim 6 and claim 17:**

5 the method further comprises the step of operating the process management and workflow
6 system to initiate a review and approval process, and to either deny or approve the request (see
7 DeFrancesco, *application status*, fig. 3AJ ; col. 17, ll. 39-43; and col. 30 ll. 47 to col. 31, ll. 17).

8
9
10
11 **Regarding claim 7 and claim 18:**

12 comprising the step of notifying a user of a request status (see DeFrancesco, *application status*,
13 fig. 3AJ ; col. 17, ll. 39-43; and col. 30 ll. 47 to col. 31, ll. 17).

14
15 **Regarding claim 8, 9 and claim 19, 20:**

16 if the request is approved, said method further comprises the steps of initiating a wire transfer of
17 funds, and archiving wire transfer details; and if the request is approved, said method further
18 comprises the step of notify the user that wire transfer is complete (see DeFrancesco, *application*
19 *status*, fig. 3AJ ; col. 17, ll. 39-43; and col. 30 ll. 47 to col. 31, ll. 17).

1 **Regarding claim 10 and claim 21:**

2 A method the process management and workflow system is coupled to client by a wide area
3 network, and wherein receiving financial information comprises the steps of establishing a
4 communication link between the accounting system and the process management and workflow
5 system, and authenticating validity of the accounting system (see fig. 2).
6

7 **Regarding claim 11 and claim 22:**

8 A method in accordance with Claim 10 wherein the wide area network is the Internet 104 (see
9 fig. 1A, DeFrancesco et al, col. 17, ll. 57 to col. 18, ll. 22).
10
11

12 **Conclusion**

13
14 6. Any inquiry concerning this communication or earlier communications from the examiner
15 should be directed to **Daniel S. Felten** whose telephone number is (703) 305-0724. The
16 examiner can normally be reached between the hours of 7:00AM to 5:30PM Monday-Thursday.
17 Any inquiry of a general nature relating to the status of this application or its proceedings should
18 be directed to the Customer Service Office (703) 306-5631, or the examiner's supervisor
19 **Vincent Millin** whose telephone number is (703) 308-1065.
20

21 7. Response to this action should be mailed to:
22

1 Commissioner of Patents and Trademarks

2 Washington, D.C. 20231

3
4 for formal communications intended for entry, or (703) 305-0040, for informal or draft
5 communications, please label "Proposed" or "Draft".

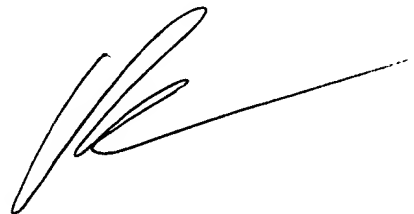
6 Communications via Internet e-mail regarding this application, other than those under 35
7 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be
8 addressed to *[daniel.felten@uspto.gov]*.

9
10 All Internet e-mail communications will be made of record in the application file. PTO
11 employees do not engage in Internet communications where there exists a possibility that
12 sensitive information could be identified or exchanged unless the record includes a properly
13 signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly
14 set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and
15 Trademark on February 25, 1997 at 1 195 OG 89.

16
17
18 

19 DSF

20 December 10, 2002



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